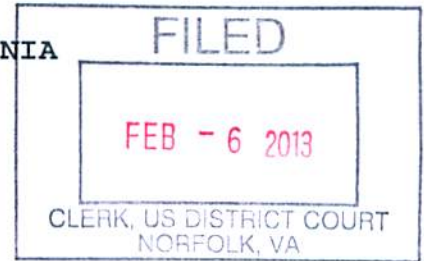


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



ROBERT PATRICK DEMAYO, JR.,

Plaintiff,

v.

ACTION NO. 2:12cv357

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

FINAL ORDER


Plaintiff brought this action under 42 U.S.C. §§ 405(g), seeking judicial review of the decision of the Commissioner of Society Security to deny his claim for Disability Insurance benefits and his claim for Supplemental Security Income under Titles II and XVI of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on January 2, 2013, recommending dismissal of the Complaint due to plaintiff's failure to prosecute this case and comply with the orders of this Court. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has

received no objections to the Magistrate Judge's Report and Recommendation, and the time for filing same has expired. T h e Court hereby ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on January 2, 2013, and this case is DISMISSED pursuant to Federal Rule of Civil Procedure 41(b).

Plaintiff is ADVISED that he may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to plaintiff and to counsel of record for defendant.


_____/s/_____
Mark S. Davis
United States District Judge

Norfolk, Virginia

February 6, 2013